**Section 145.70 Watch List of Nursing Facilities at Risk of Becoming IMDs**

a) If the initial, subsequent or any other Department data reviews indicate that the current need for nursing facility care for 40 percent or more of the residents residing in the facility results from mental disease, the Department shall notify the facility that it is at risk of becoming an IMD, advise the facility of the consequences of becoming an IMD, and place the facility on an "at risk" list. The Department may conduct an on-site review of an "at risk" facility at any time.

b) The Department shall notify the State mental health authority when a facility is at risk of becoming an IMD.